G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1901-02
(Sep. Rev)

File No. 14 of 1900

Serial Nos. 1 — 16

B.
~~**Papers Filed.**~~

Month August-01.

SUBJECT.

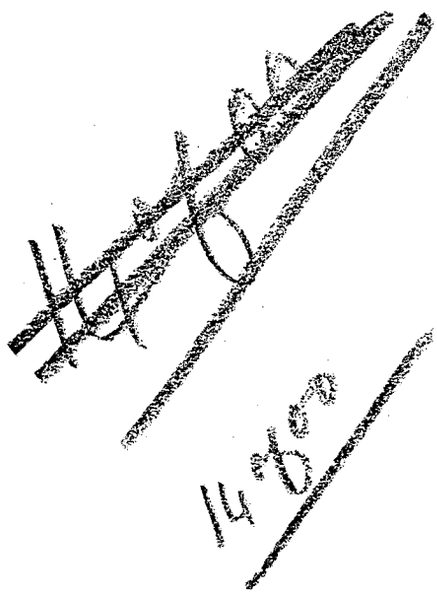
Sale of Saposnta Shops
in the Bangalore Taluk for
1901-02

20-11-01

PREVIOUS REFERENCES.	LATER REFERENCES.
G. Note 6969/Ex 343 8 7-III-01	

Sale of separate Arrack shops in the Bangalore City for 1901—1902

Amount for the current year 1900-01	41,892
Amount of bids for 1901-02 when the shops were separately sold on 15th April 1901	39,635
Amount for which the Dy Comr gave away the shops on 6oc.	41,892
Amount of bids at the re-sale held under the orders of Govt	34,715



The re-sale has resulted in great loss to Govt. If the original bids amounting to Rs. 39,635 had been accepted as they ought to have been, Govt would have been better off by nearly 5000 Rs. Why there has been such a falling off in the bids at the re-sale has not been explained.

The Dy Comr has confirmed

the pre-trial, and the Executive Commissioner thinks that the results may be accepted.

Subd to Secty
31/5/01

To the 2nd Councillors
31/5/1901

At the first date the Duty Jurors deem to have committed an error of judgement for which they cannot have been a cost to the Court now reported.

No further action deems under the circumstances possible. I agree with the Executive Commissioner.

Fred C
1/6/01

7/6/01

Sl no 13/a

Note 3

K Adayyachetty and others complained in their X petition to the Government, that their application to the Excise Commr about the resale of the Bangalore city arrack shops for 1901-1902 was still pending and prayed that they might be relieved of the Taluk shops of Belgur and Agara also, as they were bought with the object of successfully conducting business in the city shops. Though their former application on the same matter had been rejected on the Excise Commr's Do correspondence, yet the petition was sent to the Excise Commr for formal report the Excise Commr reported in his letter no X 464/15 dt 8th July 1901, that the petitioners' statement

Sl no 12.

that the Farka shops of Agaru and Begur were bought by the inmates of city arrack shops, was unfounded and that as they had failed to open the Farka shops in accordance with the terms of the contract from the 1st of July 1901. the Deputy Commr, Bangalore was asked to dispose of the shops at the petitioners' risk. On the 13th August 1901, the Excise Commr was asked whether the re sale, referred to above, was held and if so with what result. It was reported that the resale resulted in a loss of Rs 1788/ (Rs 4224 against 6012/-) and also that, as the individual (Venkatachela Moodr) who bought the shops at the 2nd sale, appeared to be a partner of the firm which had bought the same shops in the original

Sl No 15

sale, the Deputy Commr
report had been called for
on this point. A report on
the result of this
reference to the Dy. Commr
was awaited and the Sheristadar
Commr in his letter under
disposal states that
Venkatachela Moodr the present
purchaser is a partner
of Audayyachetty in
whose name stood the
highest bid at the original
sale

Submitted, to Secty.

KS
7/8/01

The re-sale of the shops
at Begur and Agara in
consequence of their failure
on the part of Audayyachetty & others
to open the shops on 1st July 1901,
has resulted in a loss of
Rs 17.88. This loss has to be
made good by them, towards
which object the amount
deposited by them with Govt
may be utilized.

An order has to be given

Alagappa Chetty's petition, & the
fact that they cannot be
relieved of their responsibility
in the matter of the Regent and
Agara shops which they purchased,
and that they have now to
make good the loss caused
by the perils — HM
7/8/01

To the 2nd Councillor

8/8

Rev
8. Aug. 01.

Agree - Issue order
as per HJ. Mahon's report on
complaint &c.
9-8-01

9/8

9/8

Urgent

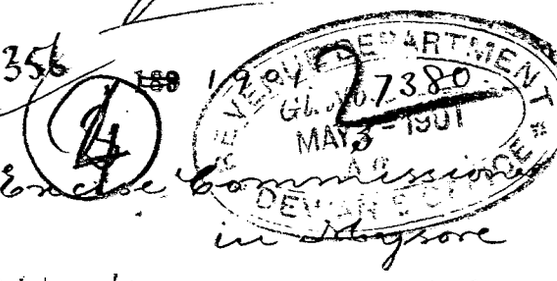
Inquire

Rec. 2nd of 3 May -

Submitted to Govr

3/5/1901

Rx 356 ~~180~~ 1901



From
The Excise Commissioner
in Mysore

To
The Secretary to Government
of Mysore, General and
Revenue Departments.

Dated 1st May 1901.

Despatched

Received

General No. 5667

No. 317

Enclosures No. 2

Subject-

Recommends that the present irregular sale of the Separate arrack shops of the Bangalore city, which have been given in a group to a company, may be cancelled, and that each of them may be ordered to be resold and knocked down in accordance with the terms of the Government Sale Notification.

RN

Each shop & bond have been separately sold & knocked down to the highest bidder subject to confirmation by the Dy Comm. The bids & sales were in the case of the separately numbered shops & bonds, but all the bids were kept in a lot with the result reported. The sale was irregular. It is set aside. The shops & bonds be resold separately in detail according with the Rules."

Issue
Govt Sd 3/5/01
4/5 Dy 4/5/01

Excise Commissioner's Office
Bangalore Dated 1st May 1901.

No. 5667/317

From

The Excise Commissioner
in Mysore

To The Secretary to Government of
Mysore, General and Revenue Depts.

Sir,

In continuation of my letter No. 5214/277, dated 17th April 1901, reporting the results of the sales of the separate arrack shops of the Bangalore City for the year 1901-1902, I have the honor to submit herewith copy of the marginally noted correspondence, from which it will be seen that the Deputy Commissioner at first put up to public auction each of the thirty "separate arrack shops" of the Bangalore city, and afterwards gave the whole of them in a group to a company consisting of four non-professional men, who agreed to take them up for the current year's rent. The list received with the Deputy Commissioner's Docket No. R 151, dated 24th April 1901, shows that the amounts offered separately for the shops, aggregated Rs 39,635.

1. Docket No. A, dated 17th April 1901, from the Deputy Commissioner, Bangalore District.
2. Docket No. R. 151, dated 24th April 1901, from the Deputy Commissioner, Bangalore District.

But

34/a

From

The Deputy Commissioner of the
Bangalore District.

To

The Excise Commissioner
Mysore.

Dated 17th April 1901.

No. A.

Enclosures Number.

His docket No. 5397/123 of the 17th April 1901. requesting to be informed if each of the separate arrack shops in the Bangalore City was individually sold.

Has the honor to state that the shops referred to were sold separately; but proper bids were not received. Therefore, they were given to a company of persons for the amounts for which they had been sold for the current year.

(Signed) B. K. Venkatavaradiengar
Deputy Commissioner
Bangalore District.

From

6

From

The Deputy Commissioner
of the Bangalore District.

To

The Excise Commissioner
in Mysore.

Dated 24th April 1901.

Camp Hebgode.

No. R 151.

Enclosures Number one.

His docket No. 5411/125 of the 17th April 1901.

—o—

Has the honor to forward, as required, a list showing the names of the highest bidders and the amounts bid for each of the separate arrack shops in Bangalore.

2. These shops were given to the Company referred to for the current year's amount, as the amounts bid for them when sold separately fell short thereof.

3. Of the 4 persons that have taken them up, Soobraya Chetty, Sashiah Chetty and Audia Chetty have no interest in the Civil and Military Station

Station arrack contract. Bheema Rao has no connection with it.

(Signed) B.K. Venkataramaniengar
Deputy Commissioner
Bangalore District.

Copy.

Excise Commissioner
in Mysore.

showing the names of the highest bidders and the amount of bid for each

the separate arrack shops of the Bangalore city at the sale held on the 15th april 1901
at Bangalore for 1901-1902.

No.	Name of the separate arrack shop.	Name of the highest bidder	amount per annum
1	mariamah covil Street Rayasamy covil street	Bheema Rao	1600
2	Rayasamy Covil Street	Narasimiah	855
3	Basetty pett Kattigavara street	Somasundera modally	1375
4	Alsur Gate	Kothandarama Mudaliar	2505
5	Avenue Road	Venkatachela modaliar	1300
6	Baboor Rayasamy's Street Saraman dal street	Lutchmiah	1415
7	Silty Siddana's Street	munusamappa	835
8	Laskar Lines High Road	Rayasamy modally	1220
9	market Road no 2 Do	Venkatachela modally	2250
10	Kumvarpett Ranga Chetty's street	boopsamy modally	1235
11	Talagarpet street Rangia Chetty's street	Varadaraja modaly	770
12	Akkipett Saragina pet Road	munusawmy naidu	2370
13	no 2 Lane 3d Do Kalbangalt Road	Lutchmiah	805
14	no B.4e Do Kumbarapett	mariappa	840
15	Kumvinapet no 9 Do akkipett	Rayasawmy Naidu	1700
16	Laskar lines High Road	Gangadhara modally	1345
17	jamkanpet Kasiviswesvara temple street	Gopalasawmy modally	1755
18	Narasappa's Lane market Road	Nagappa	2410
19	Ragipet old Butchers market street	munusawmy modaly	1520
20	siddikatta Bamboo Bazar	Palinandam Pillay	1720
21	C Lane Talagarpet street Balapett	munisamy naidu	1455
22	madigarpalya Mysore High Road	Audia Chetty	600
23	Mysore Road. Thattina bagul	Teeradoss	1400
24	Laskar lines High Road	M. Narasimayya	610
25	Valbandavada street. Kempi Police station	Audia Chetty	1100
26	Dobapet A Street	Ragaviah	2305
27	M. Geriappa's chattar lines on the Tumkur Road	munusawmyappa	840
28	Muninreddipalya	Ragaviah	795
29	Jakkandra in Malleswara extension	Somasundra modali	225
30	madigarpalya Magady Road	Venkatachela Modaly	480
		Total	39635

Dated camp Hebbagodi
24th april 1901

"Copy" / (Sd) B. K. Venkata Varadaiengar
Deputy Commissioner
Bangalore District

Excise Commissioner
in Mysore.

Draft as per order

Read:—

Letter no. 5667/317 dated 13th May 1901 from the Excise Commr. in Mysore, submitting certain correspondence re the irregular sale of the 30 arrack shops en bloc, separate shops in the city of Bangalore and soliciting sanction that Government may under para 2 of the arrack sale notification no. 6269/Ex 343 of 4th March 1901, be pleased to cancel the present irregular sale and to order the resale of each separate shop in accordance with the terms of the said notification.

No. 8859-60/Ex 452 dated 6th May 1901

Order thereon:—

Each shop should have been separately sold and knocked

down to the highest bidder
subject to confirmation
by ~~to~~ Deputy Commrs.
Though the 30 shops were in
this case sold separately,
not one of them was
to the highest bidder,
knocked down, but all
the 30 were next sold in
and given away for the current year's rent.
a lot ~~which the result reported~~
~~in the above.~~ The sale was
irregular and is set aside.
The shops should be resold
separately in ~~special~~
strict accordance with
the rules.

4/5/01
for Secretary

To
The Excise Commr
in Mysore.
" Comptroller, M.E.

Received by Post.

This ought to have been addressed to the Secretary and not to me

See 3rd & 4th note 20/ C. S. on the telegram 19.5.01 GR 14 of 01

20/ H.V.N Secy 20.5.01.

Govt: decline to reconsider the order already passed. The petition is rejected.

20/ C. S 20.5.01.

Issue.

H.V.N.

20/ Secy 20.5.01

Note by the 2nd Counciller on the telegram

"Why should they address me instead of the Secretary".

20/ C. S.

This will be noted in the order to be issued in 24/3

20/ H.V.N Secy 20.5.01.

Excise

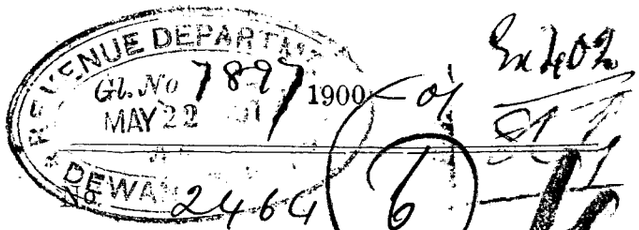
Let me see these papers in my Office as soon as I attend it on Monday the 20th Instt:

20/ C. S. 18/5/01.

Excise

Take up these please at once

H.V.N 20/5/01.



En 402

6

Name of Petitioner Audulya Setty

Village Contractors of the City

Taluk Arrack Shops

District Bangalore

Date of Arzi 18.5.01

Date of Receipt 20.5.01.

Date of Disposal

No. of Enclosure 2.

ABSTRACT

State that the Dy: Comr. of Bangalore sold on the 15th April last the rents of all the 30 Arrack shops in the City for 1901-02; that finding that the retail sale was not advantageous to Govt Compared with the realisations of 1900-01 asked the petitioners if they would accept for the amount sold in 1900-01 that the petrs: agreed to do so

On condition that the Dy: Comr:
confirmed the sale on the spot
without awaiting the Orders
of Govt: that on the assurance
that he would confirm the
sale in favour of the Petitioners
they agreed & paid a deposit of
Rs 2000/- immediately & the
balance subsequently; that
in spite of the above assurance
they were served with a notice
that that sale in which they
secured the contract had been
cancelled by Govt: and that
a resale was to take place on
the 20th; that in the hope of
having secured the contract
of the City shops they also
purchased the contract of
Madivalam tanks and
borrowed large amount
at very high rates of interest
in view to start their work;
that the cancellation of their
contract

2) Petn. No. 2464 of 1900-01

Contract has caused the
heavy loss and that it
is not possible for them
to utilize their money
and energy in any
other way at the present
stage.

Pray that in the event
the Govt: are not pleased
to confirm the original
contract orders may be
issued to the Dy: Comr:
to have the contract of
the Madivalam Jilla
also resold as the two are
closely connected from a
working point of view; that
the Govt: may order the loss
sustained by the petitioners
being made good and
that orders may be also
issued to the Dy: Comr:
to hold the sale in abeyance
till final orders are

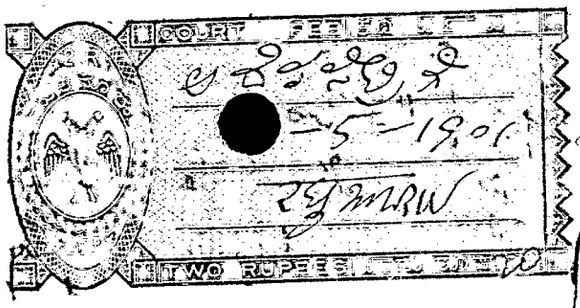
Papers by Govt:-

Encl:

1. Telegram from the petitioners to the 2nd Committee.

2. Schedule showing the amount of loss sustained by the petitioners consequent upon the Cancellation of the contract by Govt.

Received by post
this copy to have been
attached to the Keey dated 19/5/01



Issue
See Cis's
report on
the telegram
this
5/1901

2464

C. Srinivasiengar Esqre
Councilor
Mysore & Coorg
Bangalore

Respected Sir

2464 R.
20-5-1901

In continuation of our telegram
of this morning, we beg to bring the following
to your kind consideration and orders: —

1. The Deputy Commissioner of Bangalore sold on the 15 April last, the rental for 1901-1902 of all the 30 attack shops of the City, separately. Towards the close of the auction, it was found by the deputy Commissioner that the rentals for 1901-2 fell short of the rentals for 1900-1901. To make up this difficiency the deputy Commissioner questioned each of the shop-keepers present if he would take his shop for the same rental as that of 1900-1. on their declining the Deputy Commissioner offered the shops separately for two years for the same rental as that of 1900-1901.

2. We proposed to accept the offer on the following conditions (1) that the sale should be confirmed on the spot (2) that such confirmation should not be subject to any re-sale on the plea that the confirmation of the sale by the Deputy Commissioner was opposed to the Rules. On a reference to the Rules, the Deputy Commissioner assured us that he was empowered to confirm the sale. He then demanded for the

recess

necessary deposit amount. We paid Rs 2000 and promised to pay up the balance on receipt of the Confirmation order. The sale was confirmed to us on the 17th April 1901 and subsequently we paid the balance of the full deposit amount.

3. We have now been served with a notice by the deputy Commissioner (dated 9th may 1901 and received by us on the 15th Instant) stating that under orders of Govt the rentals of all the 30 shops of the city will be re-sold on the 20th Instant, that the sale Confirmed to us by the Deputy Commissioner was cancelled by Govt and that the Deputy Commissioner has no objection to our bidding again at the re-sale. We have also been asked to take back our deposit amount from the Amildar.

4. In connection with the foregoing notice and the consequent re-sale we beg to submit the following to your kind consideration:-

(1) We have, in view to facilitate our Arrack business in the city, purchased the rental of Madivalam Firka for 1901-2 at about Rs 3000 more than that of 1900-1. We purchased this last, for the simple reason, that the city Arrack shops were in our hands consequent on the Confirmation of the sale by the Deputy Commissioner

(2) Relying on the Dy Comrs assurance (please see para 2) we have already borrowed, at high rate of interest, large amount, for the deposit money as well as for the easy conduct of our business.

(3) It need hardly be said that

the notice now served on us has caused a great loss to us, as at this stage of the contract we have been prevented from utilizing our money and energy in any other way.

5. We beg to enclose herein a schedule shewing the probable loss we suffer in consequence of the re-sale of the rental of the City Arrack shops. In case the Govt desire to proceed with the re-sale, we beg the Govt will be pleased to direct the re-sale of the Madivalam Dorka Arrack shops also. As the two are closely connected from a working point of view we cannot work the one without the other -

6. Since the re-sale now ordered by Govt is a breach of contract between ourselves & the Deputy Comr, we have to ask the Govt to kindly make good the loss now sustained by us. If the Govt is unwilling to make good this loss, we beg the Govt will be pleased to direct the Deputy Commissioner to stop the re-sale and to confirm the original sale to us. Till final orders are passed by Govt on this petition, we beg the Govt will be pleased to direct the Deputy Comr to postpone the sale till such date as may be convenient to Government.

We beg to remain
Respected Sir
Your obedient servants

18th May 1901
Bangalore

Contractors of the City Arrack Shops
for 1901—1902 -

19

Schedule

Interest on Rs 5000 bond at 6 per cent for 15 months — Rs 600-0-0

Interest on Rs 10,000, Capital for three months — " 300-0-0

Probable profit out of the business for the whole year — Rs 7000-0-0

Total Rs 7900-0-0

18th May 1901
Bangalore

20

INDIAN TELEGRAPHS.

Code Class. } dp | Monthly Number. } 433

To (Office) Bangalore C.P. | From (Office) Bangalore Fort

Words	Day	Hour.	Minute.	Official Instructions
54	18	12	52	

To (Person) C. Srinivasa Iyengar Esq Pleader Mysore Civil Courts Bangalore

2 m/o Councillor Govt of Mysore

From (Person) audita chetti and co city Arrack contractors

for 1901 1902.

7+7 Kindly see these papers in the office at your earliest convenience and let me know the result of your application for 20 Arrack Shops

Date of Sale of city arrack shops fixed at 18/5/01 Kindly take up this case at once please

20 th from petitioners pleaded order for further adjournment solicited

BANGALORE 18 MY 01 CENTRAL POST

X Copied

Recd. from LN. | Sent to LN.

At Hrs. Mts. by | At Hrs. Mts. by

Telegraph Master.

64 Word Form. T 14a.

This is the public opinion asked for 20/5/01

SR. 14 of 00 SR-5

Bangalore 7

19th May 1901

My dear Sir,

Para 2 of sale notification says "Such formal Confirmation will unless revised by Government for special reasons be tantamount to an acceptance of the bid It is thus clear that the Deputy Commissioner's confirmation in the Petitioner's favor was subject to "revision by Government for special reasons" The Deputy Commissioner

could not have therefore made the confirmation absolute and final by promising them that it would not be subject to any resale even on the ground that the confirmation was opposed to rules. I have just had the Supervisor before me and he tells me it is not a fact that as stated in the petition any reference was made to the rules by the Supervisor at the time the petitioners say "On "a reference to the rules, the Supervisor "assured us that he was empowered "to confirm the Sale". Unless the

Dy Commr is directly asked, one cannot speak positively on this fact But the petitioners know perfectly well that the confirmation was subject to revision by Government for special reasons. They could not have therefore asked the Dy Commr to give them the promise as stated

In the City we have adhered to the maximum rate of 2 annas per drain - rather - the fixed rate - after great deliberation. In the C & M. Station they have adopted it as the minimum rate. Petitioners have purchased the Cotton Shops

they therefore purchased both the City and Madivalam Vend Farm in view to guard their interests in the Ch station. Many of the Customers residing in the Station resort to the shops at Madivalam and other shops belonging to the Farm. The petitioners will doubtless make their Vendors in these shops sell arrack at the Station rates unless they are very carefully watched and prevented by prosecution if need be. Their allegation that they purchased the Madivalam Farm to facilitate their arrack business in the City is perfectly untrue. It would be to our interest to have a different interest in Madivalam. But this cannot

4 | be done since the sale seems regular.
A little attractive and tempting
bid in regard to shop rent, reacts
on the Consumption by malpractices
resulting in fall of duty. I send
herewith copy of the Notification
of sale of separate shops. From
what I gather the sale of arrack
shops also was conducted exactly
like Toddy shops. Each shop was
put up separately - but not knocked
down finally and when the aggregate
amount fell short of the Current
Years

SR. 14800

SR.6

Draft of Govt order

8

Endorsement

No: 9545 dt 28/5/01

Enq 479

In reply to their petition

Registered No: 2464 dated the 18th

May 1901 praying that in

supersession of Govt: Proc

No: 8859-60 dt 6th May 1901

Enq 452

the original sale, in which

they have been given in a

lot all the 30 separate arrack

Shops of the Bangalore City,

may be confirmed to them

as promised by the Deputy

Commissioner and that the

resale ordered in the said

proceedings be postponed

till the matter is finally

disposed

disposed of by Government;

Andaiya Setty & Co, contractors of the Bangalore City arrack shops, are informed that Govt. decline to reconsider the order already passed in their proceedings of 6th June 1901 and that their petition is accordingly rejected.

2. They are further informed that all communications to ~~be made to~~ Govt: should always be addressed to the Secretary to the Govt: of Mysore and not to the Members of Council as has now

now been done.

By Order

23/5/01

for Secretary

2nd Cir order

No: 9546/Sa480 dy 28/5/01.

Copy to Excise Commr in Mysore with reference to his demi official letter dy 19/4 May 1901.

By Order

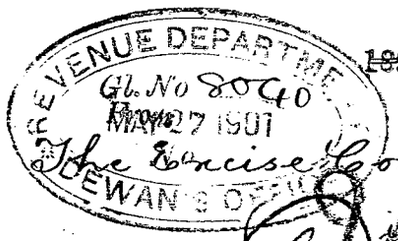
for Secretary

VG
23/5/01.

Submitted,

The resale was ~~xxxxxxxx~~ in sl No. 5 inside -

kg
30/5/01



~~189~~ 1901.

Gx 424

The Excise Commissioner
Mysore

To

The Secretary to Government
of Mysore, General and
Revenue Departments.

1470

Dated 22nd May 1901.

Despatched 25—dv

Received

General No. 6039

No. 378

Enclosure No.

Subject.

Reports the results of the resales of the separate arrack shops of the Bangalore City, for the 1901-1902.

Rw. (Excise)
27/5/01

Excise Commissioner's Office
Bangalore, dated 22nd/25 May 1901.

No. 6089/378

From

The Excise Commissioner
in Mysore.

To

The Secretary to Government
of Mysore, General and Revenue
Departments.

Sir,

I have the honor to annex below the results of the resales of the separate arrack shops of the Bangalore City, for the year 1901-1902, as reported by the Deputy Commissioner Bangalore District, in his docket No. A 179, dated the 20th instant:-

Rent for 1900-1901	Rent for 1901-1902.	Increase
Rs as ps.	Rs. as ps	Rs as ps.
41,892-0-0	34,715-0-0	1,177 0 0

The Deputy Commissioner has confirmed the sales. I am of opinion that as the shops have been taken up by bona fide independent interests, the daily sales in the several shops will be steadier and the loss in shop rent is likely to be more than made up in the duty realisable on consumption.

C. M. Lushington

Excise Commissioner
RD. in Mysore

REVENUE DEPARTMENT
Gl. No 8689
JUN. 1902
DEPOSITORY

S/C

No. 2482 1902

From H. Adaya Chetty, Hobbur
Subraya chetty, N. V. Sabhaya chetty
and C. Bheema Rao.

(10)

To

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

Dated

Despatched

Received

General No.
No.

Enclosure No.

Praying for the resale of the arrack shops detailed under Madivala Taika.

References to be marked.

The petitioners' previous petition in the matter was rejected. (S/C no 8 on file.)

But they now wish to be relieved of the Taika shops of Madivala, Begur and Agara which have been conferred to them.

Subd to Secy 24/6/01

24/6/1901

Submitted to the 2nd Councillor. The Petrs have no legal ground as far as I can see in their favour.

Yes. Let us have a report.

24/6/01

Rec'd 24.6.01.

They say that their petition to the Excise Comr is still pending. Please send this petition & ask for favour of an early report. I think there is only 200. on this account in the file.

25/6/01

27/6

10350
Exc. 531 D/ 28/6/1901
Ec 2

Draft as recorded.

(11) 819

Official memorandum

S.R. 14 Nov. 28

Petition dated from K Adayachetty and others, complaining that their petition to the Excise Commr about the resale of the Bandarawela city arrack shops for 1901-1902 is still pending and praying that they may be relieved of the Furka arrack shops of Madulwala, Beguruoya, which have been conferred to them and which were bought for the purpose of successfully conducting business in the city arrack shops &c., to forwarded to the Excise Commissioner for favour of an early report.

"B. O."

28/6/01

For Secretary

Ex. 13.

REVENUE DEPARTMENT
Gl. No 151
JUL 10 1901
No —

189

From The Executive Commissioner in Singapore

To The Secretary to the Government of Singapore

Dated 8th July 1901

Despatched 9th do

Received

General No. 464

No. 15

Enclosure No. 1

With reference to Secretary's Offl Memo: Ecc: 10350 / Ex 531, dated the 28 June 1901 reports upon the petition of K. Adayya Chetty and others praying that they may be relieved of the Begur & Agara land farms in consequence of the resale of the Bangalore city arrack shops which they had purchased.

R
10.7.01

11/7/01

~~To Secy~~

Submitted with reference to this office memo no 10350 / Ex 531 &

28th June 1901.

11/7/01

11/7/01. & the 2nd Councillor

Read 11.7.1901.

Has the resale been held & do with what results? Please enquire - Get also the Petition back! X

Issue at once

13/7/01

13/7

Exam: 13/7/01

X The petition has since been received

Excise Commissioner's Office
Dated Bangalore
8th July 1901

No. 464/15 Excl
9

From

The Excise Commissioner
in Mysore

To

The Secretary to the
Government of Mysore.

Sir,

With reference to your official
Memo: No: 16350/Ex: 531, dated the 28th June
1901, forwarding for early report the
petition from K. Adayyashetty and
others, complaining that they may be
relieved of the Arrack shops
of Gadival, Begur and Agara
which have been confirmed to them,
and which were bought for the purpose
of successfully conducting business
in the Bangalore city Arrack shops,
I have the honor to state that
at the time the petitioners presented
their petition No: 2464, dated 18th May
1901 to Government, complaining against
the resale of the Bangalore city
arrack shops, they urged that they
bought

bought the Vend Farms of Agara and Begur to enable them to carry on their business confidently in the Bangalore City shops and prayed that the said Vend farms also might be resold if the resale of the Bangalore City shops could not be cancelled. A demi official letter was received by me on the subject from the 2nd Councillor; and I replied to it explaining that the petitioners being the lessees of the arrack shops in the Cantonment Station of Bangalore they competed both for the Bangalore City shops and the Vend farms of Begur and Agara and bid high amounts for them in the interests of the shops of the Cantonment Station. and that they did not purchase the Vend farms in question which have been confirmed to them in the interests of the Bangalore City shops. Thereupon an endorsement No: 9545 / Ex: 479, dated 28 May 1901, was given to them by Government a

copy

copy of which was communicated to you with Memo: &c: 9546 & 480, dated 28 idem

2. The Bangalore City shops are separate shops which draw their supplies of arrack from the Bonded Depot established for them at the City; and the lessees of the Vend farms in the Bangalore District have to obtain their supplies under the terms of their contract direct from the Govt. Central Distillery Bangalore, and to deposit the same in the Farm Depots opened by them within their farms. The Vend farms are quite distinct from the City shops and are not dependent upon each other in any manner whatever, and the retail rates being uniform in the City shops as well as in the shops belonging to the Vend farms, the licensees of the former have no reason to fear that their customers would resort to the latter for drink.

3. The petitioners having purchased the

the arrack shops in the C. & Co. Station of Bangalore for high amounts they sell arrack in them at a higher rate than in the shops of the City and Taluk of Bangalore, and therefore they had reason to apprehend that arrack consumers residing in the C&Co Station would resort to the shops of the City and Taluk of Bangalore Accordingly in view to make them an arrangement to prevent the fall of arrack sales in the shops of the C&Co Station they kindly complied for the Bangalore City shops as well as the Agara and Begur Vend farms several of those important shops, such as Madival Jakkasandra Bommanahalli and Blackpally, are close to the C&Co. Station. It will thus be clearly seen that they purchased these two Vend farms in view of the C&Co. Station shops only.

4. The petitioners having failed to open the shops belonging to the Begur and Agara Vend farms on the 1st instant, in accordance with the

the terms of their contract, the Deputy Commissioner has been requested to dispose of the land farms at their risk. A copy of the Deputy Commissioner's letter No: A 4, dated 5th instant in reply to my memo: forwarding the aforesaid petition to him for report, is herewith sent. The present Deputy Commissioner being new to the District, is not acquainted with the facts of the case. Therefore a copy of my present letter to you will be communicated to him for information and guidance in reply to his letter. I have the honor to be,

Sir,

Your most obedient servant,

M Burnaby

Excise Commissioner
in Durpore

A 4 with Enc. 1.

Bangalore District
Deputy Commissioners Office
Bangalore 5th July 1901.

To

The Excise Commissioner
in Mysore.

Sir,

With reference to your Memo No. 147/2, dated the 29th June 1901, forwarding for report a petition addressed to Government by Adaya Chetty and others, Arrack Contractors, I have the honour to state as follows:-

2. On the 15th April 1901, the Bangalore City separate Arrack shops, 30 in number, were sold by public auction. Each shop was called out individually. The highest bid for each shop being less than its rental for the previous years, the shops were reserved without being knocked down to the respective highest bidders. The sum total of these highest bids came to Rs. 39,625; the previous year's (1900-1901) rental being Rs. 41,892. The petitioners, as a company, came forward and offered Rs. 41,892 for these shops en bloc. The offer was accepted, and the shops confirmed to them on the 15th April 1901 by the Deputy Commissioner who had the power to confirm the sale.

3. The petitioners, little suspecting the chance of their losing the City shops, bought the two suburban Firkas of Agara and Begur

on

on the 16th idem for Rs 6012/- against Rs3600, the then rental of firkas. This abnormally high bid was, with a view to protect their more valuable interest in the city shops.

4. Immediately after this, the city shops licenseholders complained to the Excise Commissioner that they sustained loss and expected to make it good by ~~boo~~ keeping their shops for a year more for a lower rental, but these shops being sold to a company of 4 persons, exclusively, their expectations were baffled. Upon this, the Excise Commissioner reported to Government that the sale of shops en bloc was not in conformity with the rules, and should, so therefore be cancelled. The Government considered the sale irregular, and hence invalid, and cancelled it, and ordered a resale. These were resold individually on the 20th May for Rs 34,715-/-. The old licenseholders, at whose instance a resale was held, did not bid for the amount they offered at the time of the first sale, nor did any of them purchase shops.*

5. When resale was announced to the petitioners, they represented to the Excise Commissioner their grievances of the suburban firkas being forced upon them after wresting away from their hands the city shops for whose sake the suburban firkas were brought. These petitions do not seem to have been disposed of and hence the appeal

* K.B. are a that out shop bro by th loss

6. From the above facts it is evident that the appellants will sustain heavy loss if they should be forced to retain the two suburban firkas at the high price offered by them for considerations other than the real value of the firkas.

7. The petition and its enclosures are herewith returned.

I have &c

(Sd) M. S. Narayan Rau

Deputy Commissioner

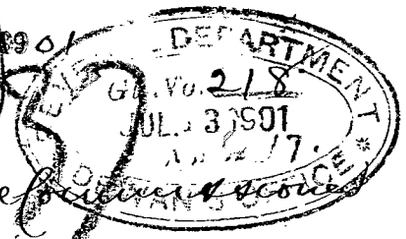
Copy

Excise Commissioner

in Mysore

1901

13



From

The Excise Revenue Accountant

Mysore

To

The Secretary to Govt.

Genl. & Rev. Departments.

Dated 12th July 1901.

Despatched

Received

General No. 577

No. 18

Enclosure No. (2)

In continuation of this Office No 464/15 dated 8th/9 instant, returns the petition of Adiyalhetty and others, received with Secretary's Off. Memo No 10350/Ex. 531, dated 28th June 1901.

Excise Commissioner's Office
Bangalore, Dated 17th July 1901

No 577 Ex 2
18

From

The Excise Commissioner
in Mysore

To

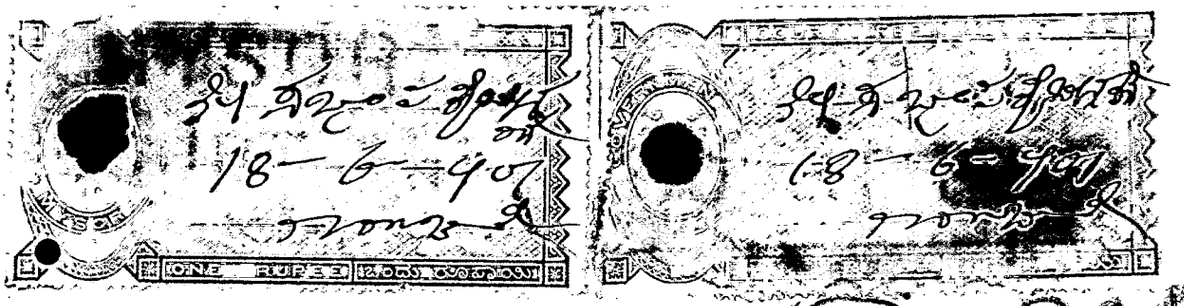
The Secretary to Govern-
ment, General & Revenue
Departments

Sir,

In continuation of
this Office letter No 464/15, dated
8th instant, I have the honor
to forward herewith the petition
of Adayachetty and others
received with your Official
Memo No 10350/Ex 531, dated 28th June 1901

I have the honor to be
Sir,
your Most obedient Servant

[signature]
for Excise Commissioner
in Mysore



To

13

THE SECRETARY,

TO THE GOVERNMENT OF MYSORE,

GEN. & REV. DEPTS,

EXCISE.

BANGALORE.

Petitioners :—1. K. Adaya Chetty,
2. Hebbur Subraya Chetty,
3. N. V. Seshaya Chetty,
4. C. Bheema Row,

RESPECTFULLY SHEWETH.

1. On the 15th of April, the 30 Arrack Shops of the Bangalore City for the year 1901-1902, were put up to sale by public auction, as proclaimed by Government Notification No. 6969-Ex 343 of 7th March 1901.

2. They were knocked down to the Petitioners, by Deputy Commissioner, who was personally present, under the circumstances and facts *correctly stated and described* in petition dated 18th May last to Government for Rs 41,908.

3. Notification of confirmation, was issued by the Deputy Commissioner, *and Petitioners paid*, as were directed the *full* amount of deposit. *But* it pleased Government, to *revise* the order of the Deputy Commissioner and to direct the resale of the said 30 City shops. The said shops were accordingly *resold*, on the 23th of May ultimo, and were purchased for Rs 33,000 and odd.

4. Petitioners had petitioned *Government* in the matter, by the *said* petition dated the 18th May last; but Government thereon, declined to reconsider the order.

5. Petitioners who have sustained great loss and feel aggrieved, *without prejudice* to their rights and claims in *that* matter, beg to approach Government in *another matter* in which they are bound to suffer serious loss; and *which*, if Government do not give *a just and sympathetic consideration*, Petitioners who are merchants in an ordinary way, *will be ruined*, in these cruel days of Plague and hardship, when all business has to the knowledge of Government, most seriously sufferred.

6. When on the 15th of April last petitioners were *induced* to accept all the city shops, as stated, they considered it necessary for the successful conduct of their business in connection with them, to bid for and obtain the shops detailed under *Madivala* Firka of *II Begur* and *V Agara* of the Schedule attached to the said Notification.

7. This was *necessary* because, these Firka shops were adjoining and close to the city shops, and as petitioners had to sell by *paid Vendors, these* vendors, if so inclined, were in a position to practice fraud and inflict loss on petitioners, by obtaining surruptitiously, liquor from the Firka shops, and vending the same, to their *own* profits.

8. Petitioners under the circumstances, *determined, effectually to prevent this,* by securing for themselves, *irrespective of cost, these Firka Shops* of the Bangalore Taluk.

9. So, the next day, *i. e.* the 16th Idem, when these Firka shops were put up for sale, by the Deputy Commissioner, petitioners outbid every one and stood as the highest bidders, at Rs. 6,012. This sum; as will be seen was, in excess by Rs. 2,412 over that of last year.

10. The Deputy Commissioner knocked down these shops, for that amount, to Petitioners; and confirmed the same to them by notice, *at the same time as those of the City.* The deposit was duly paid for *both.*

11. Now that the City shops have been resold, and possessed by mostly a miscellaneous lot, Petitioners, are bound to suffer serious loss by keeping and working these Firka shops. Even in the previous year, one *Streniah Chetty,* who had them for Rs. 3,600, *incurred loss* to the knowledge of petitioners. Petitioners *know,* that it would be *impossible* to realize, even half the amount of the cost, not to say the charges of rent maintenance, labour &c &c.

12. Under these circumstances, petitioners addressed, both the Deputy Commissioner and the Excise Commissioner. They prayed, that the petitioners may be at least, relieved of the Firka shops, by getting them also *resold.*

13. The Deputy Commissioner, gave petitioners, an endorsement, to the effect, that he does not see, any reason to resell the Firka shops and that the others had been resold under orders of Government. The said petition bearing the endorsement is herewith submitted.

14. The Excise Commissioner, *as is usual with him,* has not *as yet* given consideration to petitioners representation. Petitioners' have waited and waited; they apprehend that it may be too late, if they waited any further, as on the 1st Proximo the shops have to be opened.

15. Petitioners most respectfully beg to believe, that it is not the object of this Benign and Generous Government *to make money anyhow,* at the expense and ruin of its subjects. Government can see how petitioners have been taken in *by their mistaken reliance on the assurances of a most high and responsible officer,* to whom to all appearances, are entrusted complete powers of control over sales.

16. The remedy is simple in the extreme. The order for a re-sale will set at rest all the grievances of petitioners in this matter. Petitioners are helpless subjects. Hard working and industrious. They crave for sympathetic consideration. They pray that Government may do them justice and not be hard on them and demand and recover " the pound of flesh "

Petitioners shall ever pray.

C. Sabapathi Iyah
Bar. at. Law. Pet^rs Counsel.

V. B. Soobbiah & Sons, Bangalore—1901.

GOVERNMENT OF MYSORE
COURT FEE
EIGHT ANNAS

40

[illegible]

19-5-1901.

Dy Commissioner
Bangalore Dt

SR. 14 & c.

SR. 1/2

Urgent

To

The Excise Commr & c
in Mysore

No 408 / Ex 24 dated 13/8/01.
July 1901

His letter no 464 / 15 dated 8th July 1901 reporting upon the petition of K Adayya chetty and others praying that they may be relieved of the Turka arrack shops of Madiwala, Bey and Uparaj in consequence of the resale of the Bangalore city arrack shops which they had purchased.

With reference to the above has the honor to enquire whether the

resale of the farms referred
to in para 4 of the above
letter has been held and
if so with what result.

"B O"

18/7/01

for Secretary

KG
13/7/01.

Urgent Ex 24

FROM 81-13 190/ 786 18-7-01.

The Excise Commissioner Allepore

To The Secretary to Govt Genl and Rev departmt

Dated 16th
Despatched 18 } July 1901
Received

General No. 713
No. 27
Enclosure No.

~~The report~~

Submitted with reference to this office no 408/Ex 24 of 13th July 1901 (please see the 2nd Chf's order on Excise Commr's letter no 464/15 of 8th July 1901.) The Excise Commr promises a further report.

by 19/7/01. to the 2nd Councillor

Rec'd 19.7.01.

Nil. Nil
Nil. No reasons for delay of a month in report.

Debg as follows:—
"The result of the further reference made to the Dy Comr is awaited."

20/7/01

20/7/01

In reply to Secretary's docket No 408/Ex 24, dated the 13th April/01, reporting that the Beggar and Agent attached Rend farms have been resold at a loss of Rs 1788/- and that the purchaser at the resale appears to be a partner of the company who purchased the farms at the 1st sale.

Exmr
19/7/01

9/7/01

Excise Commissioner's Office

Bangalore, Dated 16th July 1901.

No 713/27

From

The Excise Commissioner

in Mysore

To

The Secretary to Govern-

ment of Mysore, Gen.

& Revenue Department

Sir,

In reply to your docket

No 408/Ex 24, dated the 13th July 1901,

I have the honor to state that

the Deputy Commissioner, Bangalore

District, has reported that the

Begur and Agara arrack

vend farmers in the Bangalore

Talukmurayes sold on the 11th

instant and knocked down

to Venkatachala Medaliar for

Rs 4224

Rs 4224/4 against Rs 6012/4 obtain
ed at the 1st sale resulting
in a loss of Rs 1788/4. As this
Venkatachela Mudaliar appears
to be a partner of the company
who purchased the farms at
the first sale, the Deputy Com
missioner's report has been
called for on this point. The
said Company seems to have
arranged that one of their
partners should purchase
the farms at the resale in
their own interests for a
lower amount than they
offered at the first sale.
2. I may add that the said
company has secured at
the final sale five separate
shops

of the Bangalore City —
which are close to the civil
and Military Station of
Bangalore.

I have the honor to be

Sir,

Your most obedient Servant

M Krishna Rao

Excise Commissioner

in Mysore.

Draft as per cover

16

To,
The Excise Commr in Mysore

SR. 14 f

No 1274.
Ex. 46.
Dated 24th July 1901

His letter no 713/27
dated 16th July 1901
reporting that the Begur and Para arrack vend farms in the Bangalore Taluk, were re-sold at a loss of Rs 1788/- and that as the present purchaser Venkatachella Moodr appears to be a partner of the company who had purchased the farms at the first sale, the Deputy Commr's report has been called for on this point &c

With reference to the above has the honor to state that the result of

the further reference made to the Deputy Commr., Bangalore, is awaited.

By Order

22/7/07

for Secretary

KS
22/7/07

Spl
8-8-01

1742 1901

From 6-8-01.

The Excise Commr

To

The Secretary to Govt
Genl & Rev. Depart
ments

Dated 31/7
Despatched
Received 3/8 } July 1901

General No. 1122

No. 43

Enclosure No.

Submitted, with reference to this office no 1274/Ex.46 & 24.7.1901. (Sl no 16).

S.R. 11/1

In reply to Secretary's
No: 1274/Ex. 46 dated 24th July 1901,
states that the Deputy
Commissioner, Bangalore district
reports that Sheshaiya Chetty
of the Company bid for the
Begur and Agara arrack
Vend Farms at the resale for
Venkatachalamodaliyar, and
that the Bangalore Supervisor
also reports that the latter is
a partner of Rudiachetty in
whose name stood the highest
bid at the original Sale-

Excise Commissioner's Office,

No. 1122/43

Bangalore, dated 31st July/01
3/8

From

The Excise Commissioner
in Mysore

To

The Secretary to Government
General & Revenue
Departments

Sir,

In reply to your —

Docket No 1274/Ex. 46, dated 24th July/01,
I have the honor to state that
the Deputy Commissioner, Bangalore
District, in his docket No 420,
dated 26th July 1901, reports —
that it appears from the Excise
Superintendent's report that at the
retail Vend shop of the
Company

Company who had purchased
the Begur and Agara arrack
Vend farms at the first sale,
bid for Venkatachela Mudaliar
in whose name stood the
highest bid. The Excise Superin
reports also to this Office that
Venkatachela Mudaliar is a
partner of Audiachetty in
whose name stood the highest
bid at the Original Sale.

I have the honor to be

Sir,

your most obedient Ser.

M Srinagar

Excise Commissioner

in Mysore.

Endorsement

In reply to their ~~Petition~~ Application without date praying that they may be relieved of their contract for the Begur and Agara farms on the ground that they had bought them with the object of successfully conducting business in the Bangalore City shops K. Adayya -chetty and others are informed (through their advocate Mr. C. Subhapati Iyah, Barrister-at-law) ~~that they cannot be absolved~~ of their responsibility in the matter and that they have now to make good the loss caused ~~by the resale~~.

By Order

2nd Cl Order

For Secretary

Copy forwarded to the Excise

which have since been re-sold to other parties,

~~that~~ the sale of the Begur and Agara farms had no manner of connection with the sale of the Bangalore City shops, that ~~by not opening~~ as the petrs did not open shops in the Begur & Agara farms on 1st July 1901, those farms had to be re-sold, ~~resulting in loss to Govt~~, and that the petrs have now to make good the loss caused to Govt by the re-sale.

10/8/02

Swiss Commr. in Hague with reference to correspondence ending with his letter No 1122/43 dated the 31st July 1941.

By Order

For Secretary.

Fair draft

No: 2719 & 12/8/01
2x65

14

Endorsement

8R 14 2002

8R-16

In reply to their petition
without date praying that they may
be relieved of their contract for the
Begur and Agara arrack vend
farms on the ground that they
had bought them with the object
of successfully conducting busine
in the Bangalore City shops which
last have since been re-sold to
other parties, K. Adyyachetty and
others are informed (through their
advocate Mr. C. Sabhapati Iyah,
Barrister-at-law) that the sale of
the Begur and Agara farms had
no manner of connection with the
sale of the Bangalore City shops,
that as the petitioners did not
open shops in the Begur and
Agara farms on 1st July 1901,
those farms had to be resold
and that the petitioners have now

to

to make good the loss caused to
Government by the resale -

By Order

2nd Cl
Order

Dft

For Secretary

2720/2466 dt 12/8/01 -

Copy forwarded to the Excise
Commr in Mysore with reference
to correspondence ending with
his letter No: 1122/43 dated the
31st July 1901 -

By Order

Dft

For Secretary